

**RECEIVED & FILED**

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK

JAN 30 2024

OFFICE OF THE BANKRUPTCY CLERK  
SYRACUSE, NY

In Re:

Joseph A. DiMino, Jr.

Case No.: 23-30672-WAK

Debtor.

Chapter 13

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**CONDITIONAL ORDER LIFTING AUTOMATIC STAY**

Upon the Motion of M&T Bank for an Order pursuant to Sections 362(d) of the Bankruptcy Code, lifting and vacating the automatic stay as to the Debtor allow it to repossess property known as a 2015 Mercedes-Benz C-Class motor vehicle bearing vehicle identification number 55SWF4KB8FU031553 (the "Collateral"), and the parties having come to the following agreement, it is hereby

STIPULATED AND AGREED, that within 45 calendar days of this order, the Debtor shall pay all arrears due and owing, which is currently \$1,029.15, to M&T Bank by mailing payments to M&T Bank Attn: Bankruptcy Specialist, 475 Crosspoint Parkway, Getzville, New York 14068; and

STIPULATED AND AGREED, that beginning with the February 1, 2024 regular monthly payment, Debtor shall make all payments owing to M&T Bank on time and in full by mailing payments to M&T Bank Attn: Bankruptcy Specialist, 475 Crosspoint Parkway, Getzville, New York 14068, and, upon the failure to do so, M&T Bank shall send a 10 day demand letter to Debtor and Debtor's attorney, and upon the failure to cure within the 10 day period, M&T Bank may file an affidavit of non-compliance and submit an order for the court's signature that vacates the automatic stay pursuant to 11 U.S.C. 362 to permit M&T Bank to repossess and sell the Collateral; and it is further

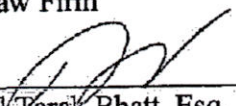
STIPULATED AND AGREED, that Debtor shall pay to M&T Bank the filing fee of \$199.00 incurred by M&T Bank in bringing this motion by February 1, 2024; and it is further

STIPULATED AND AGREED, that any Trustee's right to surplus funds is hereby preserved.

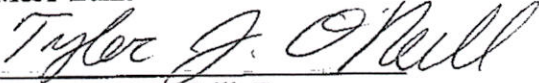
Dated: January 30, 2024

Approved:

Bhatt Law Firm

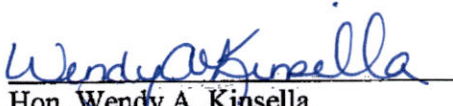
  
By: Neil Parak Bhatt, Esq.  
Attorney for Debtor

M&T Bank

  
By: Tyler J. O'Neill, Esq.  
Attorney for M&T Bank

SO ORDERED:

Entered: January 30, 2024

  
Hon. Wendy A. Kinsella  
United States Bankruptcy Judge